

1 Ramon Rossi Lopez - rlopez@lopezmchugh.com
2 (California Bar Number 86361; admitted *pro hac vice*)
3 Lopez McHugh LLP
4 100 Bayview Circle, Suite 5600
5 Newport Beach, California 92660
6 949-812-5771

7 Mark Stephen O'Connor (011029) – mark.oconnor@gknet.com
8 Gallagher & Kennedy, P.A.
9 2575 East Camelback Road
10 Phoenix, Arizona 85016-9225
11 602-530-8000

12 *Counsel for Plaintiffs*

13 UNITED STATES DISTRICT COURT

14 DISTRICT OF ARIZONA

15 In Re Bard IVC Filters Products
16 Liability Litigation

17 No. MD-15-02641-PHX-DGC

18 SHERR-UNA BOOKER, an individual,

19 Plaintiff,

20 v.

21 C.R. BARD, INC., a New Jersey
22 corporation and BARD PERIPHERAL
23 VASCULAR, an Arizona corporation,

24 Defendants.

25 **NOTICE OF LODGING DOCUMENTS
26 RELATED TO PLAINTIFF SHERR-UNA
27 BOOKER'S RESPONSE TO
28 DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT**

29 Pursuant to LRCiv 5.6(d), Plaintiff Sherr-una Booker submits this Notice of
30 Lodging Certain Documents Under Seal Related to Plaintiff's Response to Defendants'
31 Motion for Summary Judgment.

32 Plaintiff provides notice that, pursuant to LRCiv 5.6(d), she has lodged with the
33 Court under seal her Supplemental Omnibus Statement of Facts in Opposition to Bard's
34 Motion for Summary Judgment as to Plaintiff Sheer-una Booker's Claims ("Supplemental
35 OSOF") and corresponding exhibits, which contains factual statements based on the

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1 contents of documents that Defendants have claimed to be confidential and that are lodged
 2 with this Notice.¹

3 Resolution of those confidentiality issues will determine which parts of the
 4 Supplemental OSOF are appropriate for sealing and which statements may be filed
 5 without redaction.

6 Defendants contend that many of the documents are confidential and should be
 7 filed under seal. As required under LRCiv 5.6(d), Plaintiffs certify that on October 12,
 8 2017, the parties met and conferred in good faith and were unable to agree about whether
 9 the documents are confidential under the Protective Order and should be filed under seal.

10 Plaintiff does not believe that the disputed documents warrant continued
 11 confidential treatment as proprietary or sensitive trade secret information.

12 This dispute notwithstanding, the parties have agreed to continue to meet and
 13 confer on the documents at issue.

14 RESPECTFULLY SUBMITTED this 12th day of October, 2017.

15 GALLAGHER & KENNEDY, P.A.

16 By:/s/ Mark S. O'Connor

17 Mark S. O'Connor
 18 2575 East Camelback Road
 19 Phoenix, Arizona 85016-9225

20 LOPEZ McHUGH LLP

21 Ramon Rossi Lopez (CA Bar No. 86361)
 22 (admitted *pro hac vice*)
 23 100 Bayview Circle, Suite 5600
 24 Newport Beach, California 92660

25 *Counsel for Plaintiffs*

26 ¹ Plaintiff notes that she seeks to have sealed the portions of the Supplemental OSOF that
 27 contain Plaintiff's personal healthcare information. Because the resolution of those
 28 confidentiality claims will determine what redactions will be made to the Supplemental
 OSOF, Plaintiff has not filed a redacted Supplemental OSOF and will file a properly
 redacted version of the document once the confidentiality issues are determined by the
 Court.

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of October 2017, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

/s/ Gay Mennuti

